



City Council Agenda

Council President
Ken Steitz

Councilmembers

Tom Boyajian
Garry Bredefeld
Chris Mathys, Acting Council President

Henry Perea
Sal Quintero
Daniel Ronquillo

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, APRIL 6, 1999

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M.

REGULAR MEETING OF THE REDEVELOPMENT AGENCY

Approve Agency minutes of March 23, 1999

Action Taken:

AGENCY GENERAL CONSENT CALENDAR

- A. RESOLUTION** - Authorizing the Executive Director to transmit to affected taxing entities the preliminary report to the legislative body for the Central City Commercial Revitalization Redevelopment Project

Action Taken:

- B. RESOLUTION** - Authorizing the Executive Director to submit the "Rules Governing Participation by Property Owners and the Extension of Reasonable Preferences to Business Occupants in the Central City Commercial Revitalization Redevelopment Project" to the Project Area Committee and the Housing and Community Development Commission

Action Taken:

ADJOURN AGENCY

9:00 A.M. Council Roll Call

Invocation by Pastor Miller of the Victory Outreach Church

Pledge of Allegiance to the Flag

Resolution in Recognition of “Cesar E. Chavez” - Councilmembers Ronquillo, Quintero and Perea

Proclamation of “MARTY MICHALS DAY” - Councilmember Boyajian

Resolution of Commendation to St. Paul’s United Methodist Church - Acting President Mathys

Resolution of Commendation to Firefighter Specialist Jose Gastelum - Mayor Patterson

Resolution of Commendation to Police Officer Brian Sturgeon - Mayor Patterson

Proclamation of “CHILD ABUSE PREVENTION AND AWARENESS MONTH”

Proclamation of “SAN JOAQUIN VALLEY MARATHON WEEK”

Proclamation of “NATIONAL TARTAN DAY”

Proclamation of “INTERNATIONAL BUILDING SAFETY WEEK”

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Joint Session minutes of March 19, 1999, and Council minutes of March 23, 1999

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

9:45 A.M. Appearance by Barbara Hunt to request donations for an Alcoholism and Drug Counseling Center

Action Taken:

10:00 A.M. **HEARING** to consider adoption of Bills (*introduced 3/23/99*), relating to Text Amendment No. TA-98-03 proposing changes to the Fresno Municipal Code. Article 2, Chapter 12 relating to car wash facilities

Action Taken:

1. * **BILL NO. B-16 (*For adoption*)** - Text Amendment No. TA-98-03 proposing changes to Fresno Municipal Code Article 2, Chapter 12, related to car wash facilities (*Recommended by the Planning Commission*)

Action Taken:

- a. * **Bill No. B-17 (*For adoption*)** - Text Amendment No. TA-98-03 proposing changes to Fresno Municipal Code Article 2, Chapter 12, related to car wash facilities (*Alternative 2 introduced by Council*)

Action Taken:

10:30 A.M. 1. Discuss City policy regarding development of the urban reserve - Councilmembers Perea, Boyajian and Bredefeld

Action Taken:

2. Discussion and adoption of City policy regarding development of planned residential, urban reserve and sphere of influence areas - Councilmember Ronquillo

Action Taken:

11:00 A.M. (1)

DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

11:00 A.M.(2) **HEARING** to consider Plan Amendment Application No. A-98-017 and Rezoning Application No. R-98-024, filed by Storybook Homes, for 8.65 acres, located at 4645 E. Jensen Avenue

Action Taken:

1. **RESOLUTION** - Amending the Roosevelt Community Plan

Action Taken:

2. **BILL** - Amending the Official Zone Map to rezone from the R-3/UGM and R-3-A/UGM to the C-1-EA/UGM and C-M-EA/UGM/cz zone district

Action Taken:

11:15 A.M. **CONTINUED HEARING** to consider Rezoning Application No. R-98-39, filed by Tutelian Development, for 21 acres of property located on the southwest corner of N. Blackstone and W. Nees Avenues

Action Taken:

- a. **BILL** - Amending the Official Zone Map from the C-2/UGM/cz and C-M/UGM/cz zone districts to the C-2/UGM/cz and C-M/UGM/cz zone districts (**Planning Commission recommendation**)

Action Taken:

- b. **BILL** - Amending the Official Zone Map from the C-2/UGM/cz C-M/UGM/cz zone district to the C-2/UGM and C-M/UGM zone district (**Applicant's recommendation**)

Action Taken:

11:30 A.M. **HEARING** regarding City of Fresno Community Facilities District No. 2, Annexation 11 (Tract Nos. 4431, 4514, 4826, and 4879)

Action Taken:

- a. **RESOLUTION** - Annexing territory to Community Facilities District No. 2 and authorizing the levy of a special tax

Action Taken:

- b. **RESOLUTION** - Calling a special mailed-ballot election

Action Taken:

- c. **RESOLUTION** - Declaring election results

Action Taken:

- d. * **BILL** - (***For introduction and adoption***) - Levying a special tax for the property tax year 1999-2000 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 11, City of Fresno, California

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED
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2:45 P.M. * **RESOLUTION** - 83rd amendment to AAR appropriating \$5,500 from District 2's general

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

infrastructure capital budget for plan check and permit fees for construction of a new Boy Scout building located at 6005 N. Tamera (*Requires 5 affirmative votes*) - Acting President Mathys
Action Taken:

3:00 P.M. Adopt recommendations of the 1998-99 Grand Jury Interim Report No. 1 relating to the multi-purpose downtown stadium - Council President Steitz and Acting President Mathys

Action Taken:

- a. Discussion and direction to staff relating to multi-purpose downtown stadium negotiations - Council President Steitz

Action Taken:

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 11:00 A.M.)

1. Approve traffic study for Van Ness Avenue and Wishon/Fulton Avenues from Divisadero to McKinley Avenues

Action Taken:

2. * **RESOLUTION** - 78th amendment to AAR No. 98-159 appropriating \$20,000 to purchase additional red light detectors and surveying equipment, and undertake public service announcements (*Requires 5 affirmative votes*)

Action Taken:

3. Award a contract for maintenance and custodial services at Fulton Mall

Action Taken:

4. Award a contract for installation of access structures for the sanitary sewer system on Chestnut, Jensen and Fruit Avenues

Action Taken:

5. Reject all bids to construct well site improvements at Pump Station 2B

Action Taken:

6. Award a contract for construction of well site improvements at Pump Station 185

Action Taken:

1A. GENERAL CONSENT CALENDAR CONTINUED

7. Award a contract for application of slurry seal to various streets within the City of Fresno, Spring,

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Action Taken:

8. Approve Lease Amendment No. 1 to the Aviation Building Lease and Agreement between the City of Fresno and C. Wayne Andrews dba Fresno Airparts, Fresno-Chandler Downtown Airport

Action Taken:

9. Approve Aviation Land and Building Lease and Agreement between the City of Fresno and Memley Building Company dba Memley Aviation - Fresno-Chandler Downtown Airport

Action Taken:

10. Proposed appointment of Kathy Seiler to the Fresno Madera Area Agency on Aging Board (*for introduction*) - Mayor Patterson

Action Taken:

11. Approve acquisition of property from Centex Homes for development of water well Pump Station No. 308

Action Taken:

12. **RESOLUTION** - Dedicating certain City-owned property as an easement for public street purposes, property located on the northeast corner of Chestnut and Behymer Avenues

Action Taken:

13. Determination of the cancellation fee related to the partial cancellation of Agricultural Land Contract No. 8 for 4.97 acres, a portion of the Central Valley Business Park proposed at the southwest corner of E. North and S. Orange Avenues

- a. **RESOLUTION** - Determination and certification of the cancellation fee for the cancellation of a portion of Agricultural Lands Conservation Contract No. 8

Action Taken:

14. **RESOLUTION** - Approving Final Map and Subdivision Agreement for Tract No. 4879, Phase II of Vesting Tentative Tract No. 4570/UGM 563, a 67-lot single-family residential subdivision on 19.44 acres, located on the west side of S. Sunnyside Avenue north of E. Church Avenue

Action Taken:

15. **RESOLUTION** - Authorizing and directing staff to apply to the State of California (Caltrans) for a permit to use a portion of Highway 180 and the Freeway 41 overpass, and to execute related indemnity and other agreements, all relating to the annual Cesar E. Chavez celebrations

Action Taken:

1B.

CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS

1. * **BILL** - Amending Section 8-133.1 and adding Section 8-133.3 to the Fresno Municipal Code

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

relating to graffiti abatement and recovery of costs - Initiated by Councilmember Perea
Action Taken:

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Request report delineating all vacant City positions and sources of funding - Councilmember Perea

Action Taken:

- B. Request Council set appeal hearing for 4/20/99 at 9:45 A.M. of Planning Commission's approval of two variances for ornamental security fences located at 310 and 320 N. Fulton Street - Councilmember Ronquillo

Action Taken:

- C. * **RESOLUTION** - 81st amendment to AAR No. 98-159 appropriating \$3,000 from District 7's general infrastructure capital budget to provide supplies for the Manchester Seniors Club (*Requires 5 affirmative votes*) - Councilmember Perea

Action Taken:

- D. Direct City Manager or designee to provide report to Council comprised of a comprehensive list of all City-owned property, land, and assets; the report to include a notation as to whether each listed item has been encumbered or pledged; if the item has not been pledged or encumbered an indication as to whether the item may be pledged or encumbered and if not the basis as to why it may not - Councilmembers Bredefeld and Boyajian

Action Taken:

- E. Authorize three Councilmembers to attend Fresno Convention Center Expansion Project promotional event sponsored by Fresno Convention & Visitors Bureau, set for 4/15/99 in Sacramento - Councilmember Quintero

Action Taken:

- F. Direct City Manager or designee to provide an estimate for soil treatment for the softball field in the northwest section of Homen Park - Acting President Mathys

Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

7.

CLOSED SESSION

- A. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -**
Government Code Section 54956.9, Subdivision (b)

Significant Exposure to Litigation:

1. Pepper v. City of Fresno

Action Taken:

8.

UNSCHEDULED ORAL COMMUNICATIONS

- You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

(Apr. 13 - MEETING TENTATIVELY SET TO BEGIN AT 1:00 P.M.)

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

Apr. 13 - 5:30 P.M.	Review of the Fresno Chandler Downtown Airport Master and Environs Specific Plan
Apr. 20 - 9:30 A.M.	HEARING re: Rezone Appl. No. 99-08, filed by the City of Fresno Parks Dept.
Apr. 20 - 9:35 A.M.	HEARING re: Rezone Appl. No. 99-09, filed by the City of Fresno Parks Dept.
Apr. 20 - 9:45 A.M.	HEARING re: appeal of Planning Commission's approve of two variances for fences on Fulton - Councilmember Ronquillo
Apr. 20 - 10:00 A.M.	HEARING on cancellation of agricultural land conservation contract
Apr. 20 - 10:30 A.M.	HEARING re: Rezone Appl. No. R-99-005, filed by Lutheran Church of America
Apr. 20 - 10:45 A.M.	HEARING re: P.A. No. A-99-001, filed by Spencer Enterprises
Apr. 20 - 11:00 A.M.	CONTINUED HEARING re: Rezone Appl. No. R-99-002, filed by James W. Logan on behalf of Land Dynamics
Apr. 20 - 11:15 A.M.	Request RFP for installation of automated enforcement system (traffic cameras) for red light running - Councilmember Bredefeld
Apr. 27 - 9:00 A.M.	Recognition of poster contest winners for Alcohol Prevention Month
Apr. 27 - 10:00 A.M.	HEARING re: P.A. No. A-98-26, Rezone Appl. No. R-98-42, filed by Rick Ransom and the City of Fresno
May 4 - 10:00 A.M.	Presentation of Employee Service Awards <i>(Reception immediately following, 2nd floor foyer)</i>
May 11 - 9:00 A.M.	Presentation of P.R.I.D.E. Team Certificates for the spring quarter <i>(Reception immediately following, 2nd floor foyer)</i>
<u>(May 25 - MEETING TENTATIVELY SET TO BEGIN AT 1:00 P.M.)</u>	
May 25 - 5:00 P.M.	CONTINUED HEARING on Text Amendment No. TA-97-09 relating to advertised structures (billboards)
June 1 - NO MEETING - MEMORIAL DAY HOLIDAY	
July 6 - NO MEETING - COUNCIL VACATION	
July 13 - NO MEETING - COUNCIL VACATION	

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***